



Attorney Docket No. 37167-8040.US00 (13724-849)

3739\$

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: JOHNSON *et al.*

APPLICATION No.: 09/916,214

FILED: JULY 25, 2001

FOR: APPARATUS FOR DETECTING AND TREATING TUMORS
USING LOCALIZED IMPEDANCE MEASUREMENT

EXAMINER: PEFFLEY, M.

ART UNIT: 3739

CONFIRMATION NO. 6833

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL FOR INFORMATION DISCLOSURE STATEMENT

Sir:

Applicant(s) hereby submit the following documents for the above-entitled application.

Transmitted herewith are the following:

1. Information Disclosure Statement
2. Form PTO-1449
3. Cited references
4. Postcard receipt.
5. Check in the amount of \$180.00 for fee due.

Applicant(s) believe that no fee is due, however, please charge any underpayment in fees for timely filing of this transmittal and enclosures to Deposit Account No. 50-2207.

Respectfully submitted,
Perkins Coie LLP

Date: May 25, 2004

Jacqueline F. Mahoney
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**Information Disclosure Statement After First Office Action but Before
Final Action or Notice of Allowance—37 CFR 1.97(c)**

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. **Timing of Submission**

This information disclosure is being filed **after** three months of the filing date of this application or **after** the mailing date of the first office action on the merits, whichever occurred last, but **before** the mailing date of either a final action under 37 CFR 1.113 or a Notice of Allowance under 37 CFR 1.311, whichever occurs first. The references listed on the enclosed Form PTO-1449 may be material to the examination of this application; the Examiner is requested to make them of record in the application.

2. **Cited Information**

- ☒ Copies of the following references are enclosed:
- ☐ References marked with a double asterisk (**).
 - ☐ References marked by asterisks
 - ☒ All Cited References

☐ Copies of the following references can be found in parent U.S. Application No. *:

- ☐ All cited references
- ☐ References marked with a single asterisk (*).
- ☐ The following:

3. **Effect of Information Disclosure Statement (37 CFR 1.97(h))**

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information

constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

4. Fee Payment

☒ Applicant elects to pay the fee under 37 CFR 1.17(p) in the amount of \$180.00.

☒ Enclosed is a check including the amount of \$180 for the fee due.

☒ The Commissioner is hereby authorized to charge any deficiency in fees to ensure timely submission of these papers to Deposit Account No. 50-2207.

5. Patent Term Adjustment (37 CFR 1.704(d))

☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

Respectfully submitted,
Perkins Coie LLP

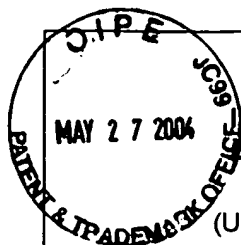
Date: May 25, 2004

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
Form PTO-1449 (Modified)
(Use several sheets if necessary)

COMPLETE IF KNOWN

Application Number	09/916,214
Filed	July 25, 2001
First Named Inventor	Johnson et al.
Group Art Unit	3739
Examiner Name	Peffley, M.
Atty Dkt No.	37167-8040.US00
Confirmation No.	6833

Sheet 1 of 1

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	U.S. Patent or Application		Name of Patentee or Inventor of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Figures Appear
		NUMBER	Kind Code (if known)			
		3,871,359		Pacula	03/18/75	
		4,676,258		Inokuchi et al.	06/30/87	
		5,227,730		King et al.	07/13/93	
		5,540,737		Fenn	07/30/96	
		5,620,479		Diederich	04/15/97	
		5,735,847		Gough et al.	04/07/98	
		5,807,272		Kun et al.	09/15/98	
		5,810,742		Pearlman	09/22/98	
		6,016,452		Kasevich	01/18/00	
		6,050,994		Sherman	04/18/00	
		6,066,134		Eggers et al.	05/23/00	
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		6,200,314	B1	Sherman	03/13/01	
		6,296,636	B1	Cheng et al.	10/2/01	
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		6,485,487	B1	Sherman	11/26/02	
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		6,558,378	B1	Sherman et al.	05/06/03	
		6,616,657	B2	Simpson et al.	09/09/03	
		6,673,070	B2	Edwards et al.	01/06/04	
		6,712,811	B2	Underwood et al.	03/30/04	
		US20020161361	A1	Sherman et al.	10/31/02	
		US20020077627	A1	Johnson et al.	06/20/02	

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.	T

FOREIGN PATENT DOCUMENTS

Examiner Initial	Cite No.	Foreign Patent or Application		Name of Patentee or Applicant of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Figures Appear	T
		Office	NUMBER Kind Code (if known)				

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application(s).